

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.			DATE OF AWARD 09/24/2009 MAILING DATE 10/01/2009 ACH# 60632	
			PRG	DOC ID	AMEND#		
			XA - 96674301 - 2				
			TYPE OF ACTION Augmentation: Increase				
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center				PAYMENT METHOD: ASAP	
RECIPIENT: Inter-Tribal Env Council - Cherokee Nation PO Box 948 Tahlequah, OK 74465 EIN: 73-0757033		PAYEE: Inter-Tribal Env Council - Cherokee Nation PO Box 948 Tahlequah, OK 74465					
PROJECT MANAGER		EPA PROJECT OFFICER			EPA GRANT SPECIALIST		
Ryan Callison PO Box 948 Tahlequah, OK 74465 E-Mail: rcallison@cherokee.org Phone: 918-453-5093		Elizabeth Brazier Multimedia Planning and Permitting Division, 6PD-S E-Mail: elizabeth.brazier@epa.gov Phone: 214-665-6449			Belenthia Epps , 6MD-CG E-Mail: Epps.Belenthia@epamail.epa.gov Phone: 214-665-8390		
PROJECT TITLE AND EXPLANATION OF CHANGES Inter-Tribal Environmental Council (ITEC) Ambient Air Monitoring This amendment increases federal funding by \$640,665 for a total of \$1,331,665.;							
BUDGET PERIOD 10/01/2008 - 09/30/2010		PROJECT PERIOD 10/01/2008 - 09/30/2010		TOTAL BUDGET PERIOD COST \$1,331,665.00		TOTAL PROJECT PERIOD COST \$1,331,665.00	
NOTICE OF AWARD Based on your application dated 07/07/2009, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$640,665. EPA agrees to cost-share 100.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,331,665. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)				AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS				ORGANIZATION / ADDRESS			
Grant Programs Section, 6MD-CG 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733				U.S. EPA, Region 6 Multimedia Planning and Permitting Division 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE			DATE		
Digital signature applied by EPA Award Official		Lynda F. Carroll, Assistant Regional Administrator for Management (6MD)			09/24/2009		
AFFIRMATION OF AWARD							
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION							
SIGNATURE		TYPED NAME AND TITLE			DATE		
		Chadwick Smith, Principal Chief			10/09/2009		

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 691,000	\$ 640,665	\$ 1,331,665
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 691,000	\$ 640,665	\$ 1,331,665

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.034 - Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities relating to the Clean Air Act	Clean Air Act: Sec. 103	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0906JSR068	09	E1C	06JT	101A17E	4183			124,923
-	0906JSR068	09	E1	06JT	101A17E	4183			415,742
-	0906JSR068	09	E1	06JT	101A04EPM	4183			100,000
									640,665

Document Readers**Awards
Working**

EPA Funding Recommendation

Title: Cherokee Nation - ITEC Amb. Air Monitoring FY2010**Document Status****Document Phase:** Final**Current Editor:** Elizabeth Brazier**Delegate:** Tenna Scott**Last Modified:** 09/18/2009**Previous Editor:** Carl Edlund**Section A - Project Information**

A.1. Grant Number:	96674301-2	A.2. Grant Type:	Non-Construction
A.3. Agreement Type:	Assistance Amendment	A.4. Awarding Region:	EPA R6
A.5. AAShip/RAShip:	R6 - Region 6		
A.6. Approval Office Division:	Multimedia Planning and Permitting Division		
A.7. Branch:	Ai State and Tribal		
A.8. Record Type:	A		
A.9. Applicant Type:	Indian Tribe		
A.10. Applicant Name:	ITEC - Inter-Tribal Env Council - Cherokee Nation		
A.11. DUNS:	061630554		
A.12. Project Title:	Cherokee Nation - ITEC Amb. Air Monitoring FY2010		
A.13. EPA Funds Requested:	\$840,000		
A.14. Program Code:	XA - Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities relating to the Clean Air Act		
A.15. Statutory Auth:	Clean Air Act: Sec. 103 7-11 Grants and Cooperative Agreements for Investigations, Demonstrations, Surveys, and Studies 103(b)(3)		
A.17. CFDA:	66.034 - Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities relating to the Clean Air Act		
A.18. Media:	Air		
A.19. Project Period Start:	10/01/2008	A.20. Project Period End:	09/30/2010
A.21. Budget Period Start:	10/01/2008	A.22. Budget Period End:	09/30/2010
A.23. Project Description: Please provide a description of the work to be accomplished in this project. Continue regulatory criteria pollutant monitoring, meteorological, mobil and CASTNet monitoring. Maintain presence in local, regional and national Air organizations; accomplish training and grant management activities. The grantee will continue outreach to tribal/community members			

Section B - Project Justification and Environmental Results

B.1. Is the principle purpose of this award to transfer anything of value to the recipient to support or stimulate a public purpose authorized by an EPA grant making statute in accordance with the Federal Grant and Cooperative Agreement Act? (The purpose of the award must not be to acquire goods or services for the direct use and benefit of the Federal Government.) (See the "Policy for Distinguishing Between Assistance and Acquisition", EPA Order 5700.1.) Yes

B.1.a. Describe the specific project activities and how they will further the recipient's own efforts to protect the environment. EPA will not award a grant unless the funding recommendation is based on criteria stated in EPA Order 5700.1.

EPA is funding this grant to Cherokee Nation Tribe of Oklahoma to support or stimulate activities that are not principally for the direct benefit or use of the Federal Government, and the award is authorized by the Order noted

B.1.b. Is this a cooperative agreement?

No

B.2. Does the scope of the work involve conducting any conferences or workshops?

No

B.3. Describe how the project relates to the statutory authority.

The tribe will maintain knowledge and technical capability in assessing the impact of criteria pollutants and other air pollutants on the tribal population, maintain currency of applicable QA/QC documents procedures and processes;

continue regulatory monitoring for trace gases, PM2.5 PM10, mercury sampling, CASTNet sampling and NCORE. Enter monitoring data obtained into EPA database(s), perform outreach to tribal/community members. As CAA 103 funding is for research, training and other activities, this grant to Cherokee Nation directly relates to the statutory authority..

B.3.a. Is this assistance agreement a Congressional earmark project to a specific recipient? No

B.4. Expected Environmental Results: The Program Results Codes (PRC) of the funds that will be used for this assistance agreement.

PRC	AMOUNT	PROGRAM/PROJECT	ALLOCATION %
101A17E	640,665	17 - Categorical Grants: Tribal Air Quality Management	100

Total Amount: \$ 640,665

This project supports the following goals, objectives, and subobjectives.

GOAL	OBJECTIVE	SUBOBJECTIVE
1 - Clean Air and Global Climate Change	1.1 - Healthier Outdoor Air	1.1.1 - Ozone and PM 2.5

B.4.a. Does this assistance agreement result from a solicitation issued before January 1, 2005? No

B.4.b. Has your office obtained a waiver from the requirements of Environmental Results under Assistance Agreements, EPA Order 5700.7 under Section 15? No

B.4.c. The Multimedia Planning and Permitting Division in the R6 - Region 6 has reviewed the work plan. The Office has determined that it contains well-defined outputs and, to the maximum extent practicable, well-defined outcomes or that the award is a State or Tribal assistance agreement under 40 CFR Part 35, Subparts A or B that complies with 40 CFR 35.107 (State and local government work plans) or 35.507 (Tribal work plans). See EPA Order 5700.7 Sections 7.a. and 8.b. Yes

Enter Terms and Conditions on results based on recipient type and program code.

B.4.d. Describe how this project fits within the Agency's Strategic Plan/Government Performance and Results Act architecture. The description must identify all EPA strategic goals, objective, and where available, subobjectives listed under Section B.4 consistent with the appropriate Program Results Codes. (See EPA Order 5700.7, Section 8.)

This project will assist the tribe with the goal of addressing air quality concerns surrounding their tribal land. In this manner the tribe will contribute to cleaner outdoor air and have more people breathing cleaner air.

B.4.e. Attach a program specific term and condition approved by the Director, Office of Grants and Debarment, which requires recipient reporting or attach a reporting term and condition in accordance with Appendix B to EPA Order 5700.7.

In accordance with 40 C.F.R. Section 31 40(d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the output/outcome specified in the assistance agreement workplan.

B.5. Quality Assurance: Does this program or project include generation of environmental data, or use of existing environmental data? Yes

B.5.a. Are the proposed measurement activities covered by an existing or draft Quality Management Plan (QMP), or Quality Assurance Project Plan (QAPP)? Yes

B.5.b. Are the QA Plans or QA documents required for this assistance award approved? Yes

B.5.b.1. Are there new or additional environmental measurement activities anticipated which are not covered by the existing approved QMP or QAPP? No

B.6. Is the recipient of this assistance award a non-profit organization? No

B.7. Will the assistance award result in the development of any copyrighted software or written materials? No

B.8. Is this a small grant as defined by the Small Grant Policy? No

B.9. Is this a Research Assistance Agreement? No

B.10. Could an invention result from this project? No

B.11. Does the project involve human subjects? No

B.12. Does the project involve animal subjects? No

B.13. Is this a cooperative agreement which will include the survey or collection of identical information from 10 or more persons, or a grant which will include the survey or collection of identical information from 10 or more persons and under which EPA influenced the design, development or implementation of the survey? (See Grants Policy Issuance 99-1, Information Collection Requirements) No

B.14. Does the proposal include projects that will be performed entirely or in part outside of the United States? No

B.15. Does the grant involve or relate to geospatial information? No

Geospatial information includes: "Information that identifies the geographic location and characteristics of natural or constructed features or boundaries on the Earth, or applications, tools, and hardware associated with the generation, maintenance, or distribution of such information. The information may be derived from, among other things, GPS, remote sensing, mapping, charting, and surveying technologies, or statistical data."

B.16. Will this assistance agreement require individuals to access federally controlled facilities or have access to federally controlled computer systems at least 24 hours a week for a 6 month period or more? No

Section C - Competition, EPA Order 5700.5A1 - Amendment

C.1. Was the amendment competed in accordance with the Competition Policy (EPA Order 5700.5A1)? No

C.2. Enter the reason why this amendment was not competed based on the Competition Policy (EPA Order 5700.5A1).

The amendment is to a non-competitive award exempt from competition under Section 6 c. of the Competition Policy (Order 5700.5A1). (Section 13.c.(1))

C.3. Competition code:

Section D - Project Funding

Approved Budget	
Cost Category Classification (Nonconstruction)	Approved Allowable Budget Period Cost
D.1. Personnel	\$496,879
D.2. Fringe Benefits	\$179,636
D.3. Travel	\$52,401
D.4. Equipment	\$90,995
D.5. Supplies	\$117,000
D.6. Contractual	\$138,438
D.7. Construction	\$0
D.8. Other	\$103,635
D.9. Total Direct Costs	\$1,178,984
D.10. Indirect Costs IDC Rate % Base \$	\$152,681
D.11. Total	\$1,331,665
D.12. Total Requested Amount	\$840,000
D.13. Total Request To Fund Amt This Action	\$640,665
D.14. Is this funding full or partial (incremental)?	Full

Section E - Project Funding Information

E.1. Based on a cost review analysis, all costs are necessary and reasonable in accordance with the Cost Review Guidance (GPI-00-05) Yes

E.1.a. Enter or attach Cost Review Analysis.



CherokeeCost Review - 09.doc

E.2. Does this project include preaward costs? No

E.3. Will this assistance agreement be funded with funds from more than one appropriation? No

E.4. Does the funding for this action include any EPA In-Kind No

Contribution?

E.5. Is the recipient providing cost sharing under this agreement? No

E.6. Does this action include approval to carry forward obligated funds from prior years? No

E.7. Is this project expected to generate program income? No

E.8. Will equipment be acquired under this assistance agreement? Yes
(See 40 CFR 30.34 or 31.32, as appropriate, and Grants Policy Issuance 02-02.)

E.8.a. When equipment is no longer needed for this project:

Allow the recipient to continue to use it on this project or on other federally funded projects whether or not supported by Federal funds

Section F - Terms and Conditions**F.1. Insert Appropriate Terms and Conditions.**

These funds are authorize under CAA § 103. This authority directs U.S. EPA to provide funding to support short-term projects aimed at conducting and promoting the coordination and acceleration of research, investigate, expereiments, demonstrations, surveys and studies relating to the cause, effects, extent, prevention, and control of air pollution. Funds are awarded with no guarantee for future funding. Within 30 days after award grantee will submit revised/updated 424, 424A to reflect cost analyst.

Section G - Project Officer Approval

G.1 Project Officer Approval. I have reviewed and approved the work plan/scope of work and budget for this project and I recommend the Award. Yes

G.1a. Address: 1445 Ross Avenue, Suite 1200

G.1.b. City: Dallas

G.1.c. State: TX

G.1.d. Zip Code: 75202-2733

G.2. Is this a non-competitive award or out-of-scope monetary increase amendment that requires the Assistant Administrator or Regional Administrator's certification under the Administrator's April 5, 2005 Memorandum on the Review and Announcement of Discretionary Grants? Yes

G.2.a. Date of Assistant Administrator or Regional Administrator's certification. 09/18/2009

G.2.b. Attach Assistant Administrator or Regional Administrator's certification.



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G.3. Does this Funding Recommendation require approval of the Senior Resources Official? No

Section H - Commitment Clerk

H.1. Funding Regions: EPA R6

Section I - Concurrences and Approvals

I. AO/SRO Region: EPA R6

I.1. Approval Official Signature

I.1.a. Approval Official: Carl Edlund

I.1.b. Title: Director, Multimedia Planning and Permitting Division

I.1.c. Phone:

I.1.d. Delegate: Thomas Diggs

I.1.e. Title: Air Associate Director

I.1.f. Phone:

Approval Official Signature:

I.1.g. Approval: Signed

I.1.h. Date: 09/18/2009

I.1.i. Notes:

I.1.j. Attachment:

Section J - Review & Approvals**J.1. Read Access:** Controlled**J.2. Readers:** Tenna Scott
Anthony Talton
Elizabeth Braziel
Belenthia Epps**J.3. Submitted:****J.5. Concurrent Approvers:** Donald Johnson
Charles Ritchey
Tenna Scott
Anthony Talton**J.6. Submitted:** 09/16/2009**J.7. Due Date:** 08/13/2009**Concurrent Approval Responses**

Response	Concurrence By	Date
Approve	Charles Ritchey	08/17/2009
Approve	Donald Johnson	08/17/2009
Approve with Comments	Tenna Scott	08/19/2009

J.8. Sequential Approvers:**J.9. Submitted:****J.10. Due Date:****Sequential Approval Responses**

Response	Concurrence By	Date

Section K - Commitment Notices

Cherokee Nation - ITEC Amb. Air Monitoring FY2010	\$640,665	Final
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Section L - Grant Specialist**L.1. Grant Specialist:** Belenthia Epps**L.2. Title:** Grants Specialist**L.3. Phone:** 214-665-8390**L.4. Submitted:** 09/18/2009**Section M - Funding Recommendations Attachments****Attachments:**

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Section N - Origination Information**Created By:** Elizabeth Braziel on 08/06/2009**Organization:** EPA R6**Section O - Notifications History**

08/17/2009 - Approvers - Donald Johnson, Charles Ritchey, Tenna Scott, Anthony Talton
09/16/2009 - Approvers - Tenna Scott, Anthony Talton
09/18/2009 - AO Signature - Carl Edlund, Thomas Diggs
09/18/2009 - Final - Elizabeth Braziel, Tenna Scott, Belenthia Epps
09/18/2009 - Notify Grant Specialist - Belenthia Epps

Document Readers**Awards
Working****Commitment Notice****Title: Cherokee Nation - ITEC Amb. Air Monitoring FY2010****Document Status****Document Phase:** Final**Last Modified:** 09/18/2009**Current Editor:** Elizabeth Braziel**Previous Editor:** Donnie Hazle**Delegate:** Tenna Scott**Commitment Notice Information****Program Code:** XA - Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities relating to the Clean Air Act**Grant Number:** 96674301-2**Approved Ceiling:** \$640,665**Commitment Amt:** \$640,665**Commitment Type:** Original Commitment**Agreement Type:** Assistance Amendment**Applicant Name:** ITEC - Inter-Tribal Env Council - Cherokee Nation**DUNS:** 061630554**Employer EIN:** 73-0757033**Awarding Region:** EPA R6**Responsibility Ctr:** 06**Allowance Holder:** 06**Is Contract Negotiator Allowed to exceed amount shown above by up to 10% without securing further approval for.****Allowed to Exceed:** No**Description Of Project, Goods, or Services****Description:** Continue regulatory criteria pollutant monitoring, meteorological, mobil and CASTNet monitoring. Maintain presence in local, regional and national Air organizations; accomplish training and grant management activities. The grantee will continue outreach to tribal/community members**Task, Roap, or Other Local Identifier:****Identifier:****Special Comments and Instructions:****Comments:****Commitment Notice Document Attachments****Fiscal Information****VendorCode:** 730757033AV**Service Finance:** AP33**Office:****Accounting Period:** 122009**IFMS Status:** ACCEPTED

Line	Site Name	Req No	Fiscal Yr	Approp Code	BO Code	PRC	Object Class	Amount	Site Project	Cost Org Code
001	-	0906JSR068	09	E1C	06JT	101A17E	4183	124,923	-	-
002	-	0906JSR068	09	E1	06JT	101A17E	4183	415,742	-	-
003	-	0906JSR068	09	E1	06JT	101A04EPM	4183	100,000	-	-

640,665

Review**Read Access:** Controlled**Readers:** Elizabeth Braziel**Submitted:**

Tenna Scott

Approvers: Thomas Diggs, Tenna Scott,
Anthony Talton

Submitted: 09/15/2009

Due Date:

Response	Approver	Date
Approve	Tenna Scott	09/16/2009
Approve with Comments	Anthony Talton	09/17/2009

Fund Certifying Official Signature

**Fund Certifying
Official Region:** EPA R6

**Fund Certifying
Official:** Donnie Hazle

Title:

Phone:

Fund Certifying Official Signature: - Signed by Donnie Hazle/R6/USEPA/US on 09/18/2009 04:06:18 PM, according to /USEPA/US

Project Officer

Approving Region: EPA R6

Project Officer: Elizabeth Braziel

PO Phone:

Grant Specialist

Grant Specialist: Belenthia Epps

Funding Recommendation

Cherokee Nation - ITEC Amb. Air Monitoring FY2010	\$640,665	Final
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Origination Information

Notifications History